1:Franken et al M, G-5 (ca. 1913-1948)1960
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seven to the southwest of it. The names of those in the first group (followed in parentheses by the weir irrigating them) are Mĕkahang (Mĕkahang), Pĕndusan (Pĕndusan), Nungnungan Kĕlod (Nungnungan Kĕlod), Nungnungan Kaler (Nungnungan Kangin), Sangkawan (Sangkawan), Sangkanginan (Sangkawan), and Yeh Singa (Sangkawan). The names of those in the second group are Yeh Buah (Yeh Buah), Kiskis (Kiskis), Den Umah (Den Umah), Tĕlĕpas (Babitunu), Babitunu (Babitunu), Naga Sungsang (Naga Sungsang), and Umatĕgal (Naga Sungsang).

Six of the *chariks* are said to belong to the *desa:* Mĕkahang, Pĕndusan, Nungnungan, Yeh Buah, Kiskis, and Den Umah. Nungnungan and Yeh Buah consist entirely of offering *sawahs*, and the other four comprise the membership shares of the core villagers, unless some *sawahs* are not awarded because of the small number of eligible holders, in which case the surplus is added to the offering lands.

The *sawahs* are rented out on shares (*nyakap*) to the *sĕkahas pĕnyakap*. Sangkawan, for example, is rented to the *sĕkaha banjar* of Kĕstala, and Sangkanginan to the *sĕkaha pura dadia* of Kĕstala. This sharecropper's right can be withdrawn after the harvest (as has happened in the case of the *sĕkaha desa* of Gumung), hence the *sĕkaha pĕnyakap* has no permanent interest in the lands. For this reason it seldom makes any large-scale improvements in the irrigation works, and such improvements generally have to be financed by the *sĕkaha charik*. The tunnels in the village territory, for example, were built by people from Kĕstala and Gumung in return for wages.

The power in the *charik* is concentrated in the *sĕkaha toya*, whose members are called *sinomans*. The administration consists of three *klihans:* a *klihan sĕkaha* or *subak*, a *pĕnyarikan*, and a *saya*. This administration is assisted by two criers chosen from among the members in monthly rotation. The *sĕkaha pĕnyakap* rarely convenes its meetings in the irrigation-association temple or *bĕdugul*, which is considered as belonging to the ground; usually they are held in a temple of the members of the *sĕkaha*. The *sĕkaha pĕnyakap* of Sangkanginan, for example, meets on Saturday-Klion in the

9:Geertz E-5 (1957-1958)1959 OF7 Bali OF7

243 312 624 region, there are elected chiefs—usually called *klian subak*, as opposed to *klian bandjar*—over the subak, while the higher levels of watershed and river system organization are coordinated by appointed officials of the central government as the heirs of the traditional irrigation and tax officials of the old Balinese kingdoms. But, again, it is primarily the subak as a whole which determines in the light of its inherited traditions, its own policies.

621 312 243 The subak is responsible for the maintenance of its irrigation system, a task involving almost continual labor, for the apportionment of water among members of the subak, and for the scheduling of planting. It levies fines for infractions of rules (stealing water, ignoring planting directives, shirking work, and so on), maintains the subak temples and carries out a whole sequence of ritual activities connected with the agricultural cycle, controls fishing, fodder gathering, duck herding and other secondary activities in the subak, and so on and so forth. In most of the larger subak today the actual irrigation work—the constant repair of dams and canals and the perpetual opening and closing of water gates involved in water distribution—is carried out by only a part of the subak membership, called the "water group," which then receives a money payment from those not so working, the amount again being determined by the subak as a whole. Complex patterns of share tenancy, involved systems of controlled crop rotation, varying modes of internal subak organization, and the increasing efforts by the government water officials to improve inter-subak coordination complicate the whole picture. But everywhere the status of the subak as an independent, self-regulating, corporate group with its own rules and its own purposes remains as unchallenged today as it was in the times of the Balinese kings.

● [427]

564 554 4. *Commonality of ascribed social status.* The Balinese, like the Indians from whom they have borrowed (and reformulated) so much, have commonly been described as having a caste system. They do, in the sense that social status is patrilineally inherited, that marriage is fairly strictly regulated in terms of status, and that, save for a few unusual exceptions, mobility between levels within the prestige system is in theory impossible and in practice difficult. But they do not in the sense of possessing a ranked hierarchy of well-defined corporate groups, each with specific and exclusive occupational, social, and religious functions all supported by elaborate patterns of ceremonial avoidance and commensality and by a complex belief system justifying radical status inequality. Were the term "caste" not so deeply ingrained in the literature on Bali, it might be less confusing to speak of the Balinese as having a "title system," for it is in terms of a set of explicit titles, passing from father to child and attached to the individual's name as a term both of address and reference, that prestige is distributed.

Following Indian usage, the Balinese divide themselves into four main groups: Brahmana, Satria, Vesia, and Sudra. Since in such a classification more than 90 per cent of the population falls into the fourth category, a more common division for everyday use is made between *Triwangsa* ("the three peoples"), the first three groups taken as a unit, and the *Sudra*, which in a

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like, having its own independent treasury, rice shed, and meeting place. For larger and more important local tasks the klirans of one hamlet will fuse as a single unit; in the same way hamlets unite within perbekelan for affairs of government, and perbekelan unite within Blaju as a whole to support the Kahyangan-Tiga temples. As the irrigation societies in the Blaju area are small and land holdings are not so scattered, irrigation societies tend to be more or less informally identified with the perbekelan and hamlets closest to them, so that the whole system becomes territorialized through and through.

At the geographical center of this whole territorial complex, facing the market and the main crossroads, lies the "palace" (*puri*) of the ruling family, a walled-in, shabby-genteel complex of houseyards, temples, alleyways, and open courts about a city block square, tightly packed with more than five hundred people comprising a single Vesia-level dadia. The head of this dadia, Anak Agung Ngurah Njoman, is at the same time customary law chief for the whole area of Blaju—i.e., the four perbekelan within the Kahyangan-Tiga set. Though largely an honorary position concerned with giving advice in matters of custom, this apical role symbolizes the continuing dominance of the ruling family in the area. At the perbekelan level, two of the four perberkel are from this family (one of them again being the Anak Agung himself), the other two being ranking Sudra with traditional ties to the "castle."

The role of this elite group is strengthened in many ways. First, unlike many Balinese aristocrats, the Blaju ruling family is not impoverished. About one-fifth of all rice land in the area is still in their hands (though it is owned individually, not collectively, within the dadia), and as almost all this land is sharecropped by Sudra tenants who also have corvée obligations to their landlords, traditional patron-dependent ties remain of central integrative importance. Second, although the members of the ruling dadia live all in one place and so should be members of a single hamlet according to the territorial system, they are by traditional practice distributed among the sixteen bandjar in more or less equalized groups. They are assigned bandjar membership independent of their residence so as to insure a voice (and an ear) for the ruling house in each locality and to strengthen the unity of the whole region. Third, there is in Blaju a major temple, rivaling the Kahyangan-Tiga in importance, which is supported exclusively by all the people in the region who bear Triwangsa, upper-caste titles, thus symbolizing the importance of status and serving to ally all the local high prestige groups with the ruling dadia in its largely successful effort to maintain the traditional stratification system unimpaired.

As noted, this rather neat integration of territorialism and status is not altogether a traditional matter, but stems in part at least from rather recent reforms. The kliran subhamlet pattern, the distinctive element in the whole system, was only instituted in 1940. At this time the hamlet system was very weak, kinship unimportant, and most village functions had fallen into the hands of voluntary seka groups. "People" felt—evidently under prodding from the aristocracy, which began to reassert its leadership at this time—that

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and draught cattle, the exact share due the landlord, etc., go to make the arrangement more precise.[1]

2. *Extent of sharecropper relations.*—The notion that the individual, who tills another person's land, must turn over half the crop to the landlord is a general principle of adat law, which is not limited to formal land agreements. It also applies in the case of unauthorized occupation of land. It operates not only in the case of fields, which have to be planted, but it can also apply to the maintenance of perennial gardens. It has its parallel, as well, in fishing and cattle-breeding.

3. *Srama and plais.*—Two ancillary institutions are connected with sharecropping. The first, called "srama" or "mesi," occurs especially in Central Java. It is the payment of a small sum of money at the beginning of the agreement. It has the significance of a gift that goes along with a request for favor.[2] Or it may be looked upon as a token of an acknowledgment that the giver is on the recipient's land.[3]

The second institution grows out of a tie-up between the loan of money and sharecropping. The landlord borrows money without interest. The lender becomes his sharecropper. His right to sharecrop the debtor's field lasts until the debt is paid.[4] Or better yet, if at any time, he should be barred from planting, the debt is immediately collectible, or "plais" (on Bali). It is sometimes agreed that the share retained by the land-working creditor reduces the debt by a fixed amount each season. Otherwise, the debt stands until paid off in a lump sum.

4. *Breach of contract.*—If a landlord bars a sharecropper from the land, the cropper may have a claim for damages. But he cannot, like the person who obtained his rights by "jual," demand the land itself.

B. SEWA

This is a strange anomaly in most law-areas: the plan of land lease with deferred rent. The word "sewa" carries a connotation of a deal with outsiders.[5]

[1] Various native terms for the sharecropping agreement are: "memperduai" (Minangkabau); "tojo" (Minahasa); "tésang" (South Celebes); "maro," fifty-fifty, or "mertelu," one to two (Central Java); "nengah," fifty-fifty, and "jejuron," one-to-two (Preanger).

[2] It is the request that is the actual "srama."

[3] This is the "mesi."

[4] This practice is called "balango" in South Celebes.

[5] In South Sumatra it appears as "sewa-bumi," the compensation paid by aliens for use of a part of the area of disposal. Its equivalent in Borneo, "chukai,"

12: Haar S-4 (1939) 1948 OBI Indonesia OBI
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has been recently in preparation, but nothing has come of it as yet. It may be noted in this respect that the statutory possibility of credit unions, a regulation of mortgages running along Western lines, is of importance only for debts of the National Credit Bank and a few other institutions (*Cf.* Staatsblad, 1908, No. 542).

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3. *Adat distinctions between sharecropping based on land-pledging and loans on land security.*—Externally, it looks very much the same, if a person pawns his land and is then permitted to keep on working it as a sharecropper or lessee, and if a person puts up his land as security on an interest-bearing loan, in which case, he naturally retains the use of his field. The social effect of the two practices turns out to be pretty much the same thing. But the single fact that pawn involves a "jual" transaction, and a loan or security does not, produces a number of important legal differences in the adat.

I [b&d]

a. Land-pledging always requires the cooperation of a chief; loan on security may or may not.

b. Demand repayment of money given on pledged land is never permitted; a loan secured by land is subject to demand.

c. A pledgee may arrange a re-pledging of the land he has received; a holder of land received in security can do nothing with the land.

d. The pledgee, in the event of breach, when a time-limit for redemption has been fixed in a pledging agreement of the land, can acquire native possession of the land; the creditor in a simple loan on security can demand the money only.

e. In case of default of rent or the pledgee's share of the crop due him from the pledgor, the pledgee can eject the pledgor from his sharecropper's or lessee's rights; in case of default of interest on a loan secured by land, the creditor can ordinarily demand only the return of the principal.

f. If the land is destroyed by flood, or other natural catastrophe, the holder of land in pledge finds his claim on the debt owed him by the borrower is extinguished; but in a straight loan involving land as security, the creditor's claim continues unimpaired. In Bali, in fact, it is expressly stipulated that the pledge is collectible immediately upon destruction of the fields. This appears to imply that when there is no such stipulation, the contrary is the case.

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It is to be understood, of course, that these points of difference come into play only after it has been determined which type of transaction is being dealt with.